

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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XIAOLU "PETER" YU,

Plaintiff,

-against-

VASSAR COLLEGE,

Defendant.
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13-cv-4373 (HB)

**DECLARATION OF KIMBERLY C. LAU, ESQ. IN SUPPORT
OF PLAINTIFF PETER YU'S OPPOSITION TO DEFENDANT
VASSAR COLLEGE'S MOTION FOR SUMMARY JUDGMENT**

KIMBERLY C. LAU, ESQ. hereby declares subject to the penalties of perjury pursuant to 28 U.S. C. § 1746:

1. I am admitted to practice in the courts of the State of New York and am a member of the Bar of this Court. I am associated with the law firm of Nesenoff & Miltenberg, LLP, attorneys for the plaintiff, Xiaolu "Peter" Yu ("Plaintiff").

2. I am fully familiar with the facts and circumstances set forth below based upon my personal knowledge and my review of the files maintained by Nesenoff & Miltenberg LLP.

3. I submit this declaration in opposition to Defendant Vassar College's Motion for Summary Judgment in order to identify the papers being submitted by Plaintiff in opposition to Vassar College's motion for summary judgment:

(a) Plaintiff Peter Yu's Memorandum of Law In Opposition To Defendant Vassar College's Motion For Summary Judgment;

(b) Excerpts of the Deposition of Richard Horowitz, taken on May 5, 2014, is annexed hereto as Exhibit 1.

(c) Excerpts of the Deposition of Jane Parker, taken on May 2, 2014, is annexed hereto as **Exhibit 2**.

(d) Excerpts of the Deposition of Sophia Harvey, taken on May 13, 2014, is annexed hereto as **Exhibit 3**.

(e) Excerpts of the Deposition of _____, taken on May 2, 2014, is annexed hereto as **Exhibit 4**.

(f) Excerpts of the Deposition of Luis Inoa, taken on May 15, 2014, is annexed hereto as **Exhibit 5**.

(g) Excerpts of the Deposition of Elizabeth Schrock, taken on May 5, 2014, is annexed hereto as **Exhibit 6**.

(h) Emails between Vassar College Dean of College Chris Roellke and Vassar College President Catharine Hill, dated March 21, 2013 - March 22, 2013 are annexed hereto as **Exhibit 7**.

(i) Emails between Vassar College Sexual Assault Violence Prevention Program Coordinator, Elizabeth Schrock, and _____, dated March 4, 2013, March 6, 2013, March 17, 2013, March 21, 2013 and March 22, 2013 are annexed hereto as **Exhibit 8**.

(j) Emails between Vassar College Sexual Assault Violence Prevention Program Coordinator, Elizabeth Schrock, and Dean of College, Chris Roellke, dated March 16, 2013 and March 27, 2013 are annexed hereto as **Exhibit 9**.

(k) An email between Vassar College Sexual Assault Violence Prevention Program Coordinator, Elizabeth Schrock, and Title IX Investigator, Richard Horowitz,

Dean of Students, David D.B. Brown, and Kim Squillace, dated March 6, 2013 is annexed hereto as **Exhibit 10**.

(l) The Daily Caller Article, "Were Vassar hoax bias perps also involved in a false rape prosecution?" is annexed hereto as **Exhibit 11**.

WHEREFORE, the Court should deny Defendant Vassar College's motion for summary judgment in its entirety and should order such further and other relief as the Court deems just and proper.

I declare under the penalty of perjury that the foregoing is true and correct, pursuant to Title 28, United States Code, Section 1746.

Dated: New York, New York
May 16, 2014

/s/
Kimberly C. Lau, Esq.

EXHIBITS
1 THROUGH 11
TO THE DECLARATION
OF KIMBERLY LAU
FILED UNDER SEAL